

Members

Sen. Thomas Wyss, Chair
Sen. Allen Paul
Sen. William Alexa
Sen. Allie Craycraft
Rep. William Bailey
Rep. Claire Leuck
Rep. Robert Alderman
Rep. James Atterholt
Terry Smith
John Dahman
Jim Brown
David Miller



COMMISSION ON MILITARY AND VETERANS AFFAIRS

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Authority: IC 2-5-20

MEETING MINUTES¹

Meeting Date: September 16, 1999
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 156-C
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Thomas Wyss, Chair; Sen. Allie Craycraft; Sen. Allen Paul; Rep. Robert Alderman; Rep. James Atterholt; Rep. William Bailey; Terry Smith; David Miller.

Members Absent: Sen. William Alexa; Rep. Claire Leuck; Jim Brown; John Dahman.

I. Call to Order

Sen. Thomas Wyss called the meeting to order at 10:10 a.m. and introduced members. He welcomed the many active military personnel and veterans in attendance.

II. Commission Resolution: Veteran Members of Workforce Investment Boards

Tim Tyler, commission attorney, explained a draft resolution (Exhibit 1) urging chief elected officials of Workforce Investment Boards to include veterans as members. Upon Indiana Legislative Council approval, this resolution could be sent to the 32 entities involved with these boards. The motion to request council consideration of the resolution was approved unanimously.

III. Military Skills Applied Toward Required Training for Professional Licenses

Mr. Tyler briefly described the contents of his memo (Exhibit 2) on the 450 state statutes he had researched regarding military experience and professional licensing. Most laws cover two areas of concern: (1) allowing military personnel to forego continuing education requirements; and (2) providing additional time to renew licenses that had expired due to military service. However, Mr. Tyler cited West Virginia's statute which urges professional boards to give veterans special consideration and an Arkansas law which provides a 10 percent bonus to be added to license exam scores of veterans. He also outlined current Indiana statutory allowances for veterans.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Sen. Wyss asked if Indiana law precludes professional licensing boards from providing veterans with special considerations. Mr. Tyler replied that boards could adopt such measures by rule, although these rules would be open to legal challenge. Rep. William Bailey suggested that boards might be given broad statutory language to adopt veteran preferences, subject to approval by the Indiana General Assembly. Sen. Wyss said the focus was to give credit for military training as it pertained to licensing requirements.

Gerald Quigley, Professional Licensing Agency Mr. Quigley explained that the Professional Licensing Agency regulates 13 skilled professions and that the Health Professions Bureau regulates health-related professions. He stated that certain professions would be more likely than others to give licensing credit for military training. He added that a statute requiring some form of credit might be more effective than providing licensing boards rule-making authority to do so. Sen. Wyss suggested that such credit might be an incentive for veterans to return to Indiana when their tour of duty is over. Rep. Bailey suggested that the commission receive a list of 13 professions. Terry Smith asked if there is any information comparing military occupational specialties (MOS) and skilled positions and what amount of credit might be given for military training. Mr. Jackson said he would work with Mr. Tyler to compare MOS's with state requirements. Rep. Bailey stated that the legislature should be informed of what credit is being allowed and to whom. Sen. Wyss said that the commission will take up this issue again next month.

IV. Release of Student Information to Military Recruiters (as proposed by introduced House Bill 1091-1999)

Rep. James Atterholt described the situation of schools not releasing student information to military recruiters, as intended by Public Law 159-1997(IC 20-10.1-29-3). HB 1091 was introduced to require information release, but did not receive a hearing.

Col. Joseph Ryan (retired), President, The Retired Officers Association Col. Ryan read from a prepared statement (Exhibit 3) describing high schools' refusals to release student records to recruiters and other problematic areas related to recruiting, including: (1) greater difficulty recruiting in a tight job market; (2) higher standards for military recruitment (e.g., high school diplomas); (3) more than 50 percent of Indiana high schools (more than 176 schools) refused to provide high school graduate lists in 1997 and 1998; and (4) students denied higher education funding which accompanies military service. He distributed a packet of information and letters further documenting the situation (Exhibit 4). He added that Representatives Torr and Atterholt are again considering legislation for this coming session to deal with this issue. Col. Ryan introduced the following military personnel in attendance: Lt. Col. Roy Bierwirth, Army recruiting; Capt. Bob Waffle & MGS Lennie Miller, Marine recruiting; Lt. Col. Ann Green, USAF recruiting; Cmdr. Dave Arnold, Navy recruiting; Brigadier General Art Johnson, USAF (Ret.); and Lt. Col. Bob Trimpl, USAF (Ret.).

Rep. Robert Alderman stated that the current law seems to require school information sharing with the military, and, if schools are violating the law, there should be a penalty for noncompliance. Sen. Wyss asked if recruiters are given access to schools. Col. Ryan replied that 5% of schools deny access. Sen. Wyss asked if federal law addressed the issue. Col. Ryan replied that federal law basically urges high schools to "work with recruiters." He added that his association seeks a law similar to an Ohio law requiring that 10th through 12th grade student information be released to recruiters. Lt. Col. Bierwirth added that individual schools, not whole school corporations, refuse to cooperate. Sen. Wyss asked that draft legislation be prepared on this issue for the commission's next meeting.

Rep. Bailey asked if the commission could request the Attorney General to investigate the issue. Mr. Tyler replied that Legislative Council approval would be required. Rep. Bailey suggested that individual legislators could request an opinion and have it sent to all schools. Rep. Atterholt commented that schools are in compliance with the law when they do not share information with any entity, military or otherwise. Rep. Bailey stated that schools could be notified of legislative concern about this issue and suggested that another version of HB 1091 could be drafted.

Lt. Col. Bierwirth outlined the benefits the military offers to students seeking higher education, including programs offering up to \$70,000 in tuition assistance, 75 percent coverage of college loans and active duty tuition assistance. He said that uncooperative schools cite privacy as a reason they will not share student lists, so recruiters are forced to use yearbooks and spend extra time trying to identify those who are graduating. Sen. Wyss suggested that schools may be ignorant of the statute, and just "lean on the privacy act." He added that federal legislation on high school information sharing with armed services is rather weak. Rep. Bailey asked if recruiters are denied attendance at high school career days. Lt. Col. Bierwirth replied that, with some exceptions, recruiters are notified about career days. Rep. Bailey asked Lt. Col. Bierwirth to provide him with a list of educational benefits to distribute to schools in his district.

MGS Lennie Miller, Marine recruiting, spoke about military service as a means to "help kids to grow up" as well as its educational benefit. He added that Indianapolis Public Schools, in restricting Army or Marine recruiter access, deny poor, inner-city students a chance to pay for college expenses. Also to students detriment, he said, schools often refuse to accept the free assistance offered for vocation assessments using the Armed Forces Vocational Aptitude Test. Sen. Allen Paul suggested that military services might try to enlist aid from school-related organizations (e.g., the School Board Association or Indiana State Teachers Association), in presenting their case. Rep. Alderman and Sen. Paul agreed to work together to address this issue. Col. Ryan asked that a letter from Lt. Gen. Carol Mutter, Marine Corps, retired (see Exhibit 4) to Sen. Wyss regarding recruitment difficulties be recognized in the meeting minutes.

V. Commission Recognition of World War I Veterans Awarded the French National Order of the Legion of Honor

Mr. Tyler went over resolution drafts honoring the nine persons awarded the Legion of Honor, five of whom are still living. Rep. Bailey made a motion that the resolutions be signed by Sen. Wyss and himself, and sent immediately due to advanced age of the remaining survivors. The motion passed unanimously. It was suggested that the resolution could also be sent to surviving family members.

VI. Other Business

Volunteer Immunity from Civil Liability

Joseph Duray, Military/Veteran Coalition of Indiana, requested that the commission consider legislation protecting veterans serving as volunteers (as found in introduced House Bill 1552-1999). He said the coalition represented 230,000 members, and active duty personnel who do volunteer work. He presented a handout for reproduction and distribution to members (Exhibit 5). Sen. Wyss described civil immunity as a complex issue which has been debated often in the General Assembly.

Increasing State Income Tax Deduction on Military Pay

Col. Stanley Huseland (ret.), Reserve Officers Association, spoke from a prepared statement (Exhibit 6) and asked commission support for a proposal to increase the state income tax deduction from \$2,000 (set in 1965) to \$6,000 for active military pay. He added that 12 states now also exempt 100% of retired military pay, including Michigan, Illinois and Kentucky. This provides an incentive for military retirees to move to those states to escape taxes. Col. Huseland added that he was working with Rep. Bailey on a potential bill draft.

VII. Adjournment

There being no further business, the commission adjourned at 12:10 p.m.